

Appl. No. 09/341,407
Supplemental Amendment fax-filed on August 17, 2004

PATENT

REMARKS/ARGUMENTS

Applicants thank the Examiner for the courtesies extended in a telephone conference of July 20, 2004 and in several subsequent conversations. This amendment amends claim 1 and adds new claims 32-34. Reconsideration of the claims is respectfully requested.

Claims

Applicants have amended claim 1 to remove recitation of certain T cell CD28 co-stimulatory receptor (CD28) agonists, and reserves the right to pursue claims reciting such agonists in a continuation application. Applicant has also added new claims 32-34 to recite humanized, chimeric, and polyclonal antibodies. Support for the new claims can be found throughout the specification, and at least at page 10, line 7 to page 12, line 35.

References

Applicants submit under separate cover, via U.S. Postal Service, copies of the following references which were cited in a Declaration filed on July 25, 2003, and which Applicant includes in a concurrently filed Supplemental Information Disclosure Statement.

- a) Shehadeh et al., "Effect of Adjuvant Therapy on Development of Diabetes in Mouse and Man," *Lancet*, 334:706-707 (1994) [*cited in Declaration ¶5*];
- b) Dahlquist et al., "The Cumulative Incidence of Childhood Diabetes Mellitus in Sweden Unaffected By BCG-Vaccination," *Diabetologia*, 38:873-874 (1995) [*cited in Declaration ¶5*];
- c) Sperling et al., "CD34 Is A Murine T Cell Costimulatory Receptor That Functions Independently Of CD28," *J. Exp. Med.*, 182:139-146 (1995) [*cited in Declaration ¶10*];
- d) Grewal et al., "Requirement For CD40 Ligand In Costimulation Induction, T Cell Activation, and Experimental Allergic Encephalomyelitis," *Science*, 273:1864-1867 (1996) [*cited in Declaration ¶10*]; and
- e) Wingren et al., "T Cell Activation Pathways: B7, LFA-3, and ICAM-1 Shape Unique T Cell Profiles," *Critical Reviews in Immunology*, 15(3&4):235-253 (1995) [*cited in Declaration ¶10*].

Appl. No. 09/341,407

PATENT

Supplemental Amendment fax-filed on August 17, 2004

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Nathan S. Cassell
Reg. No. 42,396

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400 / Fax: 415-576-0300
NSC:nap
60285237 v1